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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/820,438	03/29/2001 J. Guy B		J. Guy Breitenbucher	ORT-1396	5665	
27777	7590	02/09/2005		EXAM	INER	
PHILIP S. JO	OHNSO	N		WARD,	PAUL V	
JOHNSON &	JOHNSO	N				
ONE JOHNS	ON & JO	HNSON PLAZA		ART UNIT	PAPER NUMBER	

1623
DATE MAILED: 02/09/2005

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PTO/SB/08A (08-00)

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Sheet 1 of 2

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Application Number	09/820,438
Filing Date	3/29/01
First Named Inventor	J Guy Breitenbucher
Group Art Unit	
Examiner Name	
Attorney Docket Number	ORT-1396

			U.S. PATENT DOCUMENTS		
	U.S. Patent Do	cument		Date of Publication	Pages, Columns, Lines,
Cite No.1	Number	Kind Code ² (if known)	of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
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FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or passages or relevant mm-dd-yyyy Examiner Cite Applicant of Cited Document figures appear Initials Office³ Number⁴ KindCode⁵ 11-27-1997 Pharmacia & Upjohn S.P.A. HU WO 97/44319 A1 11-05-1998 HL 98/48797 A1 Eli Lilly and Company wo 126. Merck Sharp & Dohme Limited 01-27-2000 A1 WO 00/04017

Examiner		Date	3/11/02	
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Sheet 2 of 2

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Filing Date	3720701
First Named Inventor	J. Guy Breitenbucher
Group Art Unit	
Examiner Name	·
Attorney Docket Number	ORT1396

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's	Cite No.1	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
	NO.	PORTE CASTRAR MICHAEL COLORRIBINER DORIS MARKO AND ERWIN VON ANGERER, "Methoxy-Substituted 3-	
H.c. Itu		ROBERT GS. FPAR, included so in the Tubulin Polymertzation", J. Med. Chem., 1998, pp. 4985-4972, Vol. 41 Formyl-2-phenylindoles Intibit Tubulin Polymertzation", J. Med. Chem., 1998, pp. 4985-4972, Vol. 41 BRAD R. HENKE, KIMBERLEY K. ADKISON, STEVEN G. BLANCHARD, LISA M. LEESNITZER, ROBERT A. MOOK, JR. KELLI D. PLUNKET, JOHN A. RAY, CLAUDIA ROBERSON, RAYOMAND UNWALLA AND TIMOTHY M. WILSON, "Synthesis and Biological Activity of a Novel Series of Indole-Derived PPAR y Agonists", Bioorganic & Medicinal Chemistry Letters 9, 1999, pp. 3329-3334.	
μV		GEORGE W. KABALKA, LEI WANG, VASUDEVAN NAMBOODIRI AND RICHARD M. PAGNI, "Kapio microwave-	
Ku		SURAT KUMAR AND SHRI NIVAS RASTOGI, "1-[Benzoturanyloxy- & p-(cyclopent-2-ar-1-yhlucuyininahoxy)- Substituted-amino-propan-2-ols propanes as Potential Biodynamic Agents", Indian Journal of Chemistry, July 1983, pp. 659-	
HU		KAZUHIRO MIWA, TOYOHIKO AOYAMA AND TAKAYUKI SHIOIRI, "Extension of the Colvin Realitangement Using	
Hil		YUTAKA NISHIYAMA, RYO MAEMA, KENGOU OHNO, MASAHARO HIROSE, AND NOBORO SUNDON, Synthesis of Indoles: Selenium-Catalyzed Reductive N-Heterocyclization of 2-Nitrostyrenes with Carbon Monoxide*, Tetrahedron Letters, 1999	
H.L.		1999, pp. 5/17/5/20, Vot. 40 ADRIAN L. SMITH, GRAEME I. STEVENSON, CHRISTOPHER J. SWAIN AND JHOSE L. CASTRO, "Traceless Solid Phase Synthesis of 2,3-Disubstituted Indoles", Tetrahedron Letters 39, 1998, pp. 8317-8320	<u> </u>
H.L.	-	KUMIKO TAKEUCHI, JOLIE A. BASTIAN, DONETTA S. GIFFORD-MOORE, RICHARD W. RARVER, SAAVIV C. MILLEN. "JEFFREY T. MULLANEY, DANIEL J. SALL, GERALD F. SMITH, MINSHENG ZHANG AND MATTHEW J. FISHER. "1.2- Disubstituted indote, Azaindole and Benzimidazole Derivatives Possessina Annie Maiety. A Novel Series of Thrombin Libitation of Marienal Chamistry Letters 10, 2000, pp. 2347-2351.	
HL.		HAN-CHENG ZHANG, HONG YE, ALLESANDRO F. MORETTO, KIMBERLY K. BROWNIELD, AND BROCE E. MARYANOFF, "Facial Solid-Phase Construction of Indole Derivatives Based on a Traceless, Activating Sulfonyl Linker",	
HI.		Organic Letters, 2000, pp. 69-92, vol. 2, vol.	
	 		
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Page 1 of 1

Application Number	09/820,438
Filing Date	March 29, 2001
First Named Inventor	J. Guy
	Breitenbucher
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	ORT-1396

Foreign Patent Document Pages, Columns, Lines, where relevant passages or relevant figures Name of Patentee or Cite Examiner Applicant of Cited Document Initials Office³ Number⁴ KindCode⁵ appear OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), Cite No.1 Examiner title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T2 Initials* PCT International Search Report - International Application No. PCT/US 01/10320 - Earliest Priority Date Hl. 03/31/2000.

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Application Number	09/820,438
Filing Date	3/29/01
First Named Inventor	J Guy Breitenbucher
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				U.S. PATENT DOCUMENTS		
	-	U.S. Patent Do	cument	Name of Patentee or Applicant	Date of Publication	Pages, Columns, Lines,
Examiner Initials	Cite No.'	Number	Kind Code ² (if known)	of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
HC.		338,106		Victor Roper	03-16-1886	
14.6	·	5,385,912		Neuenschwander et al.	01-31-1995	
HL		5,681,954		Yamamoto et al.	10-28-1997	
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Sheet 2 of 2

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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
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174		AGARWAL, SHIV K. et al., "Synthesis and pharmacological activities of 1-(2,4-disubstituted phenoxy)-3-'N1-(N4-arylpiperazinyl) propanes and 1-(4-chlorobenzoyl)-3-substituted 6-methoxy-2-(4-'3-N1(N4phenylpiperazinyl) propoxy phenylfindoles"; Chemical Abstracts Svc, Colombus, OH, Indian J. Chem., SECT. B (1991), 308(4) 413-416 GANELLIN, ROBIN C. et al. "Snythesis of Potent Non-imidazole Histamine H3-Receptor Antagonists", ARCHIV DER	
		GANELLIN, ROBIN C. et al. "Snythesis of Potent Non-Induzion Possibility Processing States of Potent Non-Induzion Possibility P	
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